United Nations S/2007/144

Security Council

Distr.: General
13 March 2007

Original: English

Letter dated 13 March 2007 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit herewith the agreement signed in Ouagadougou on 4 March 2007 by Laurent Gbagbo, President of Côte d'Ivoire, Guillaume Soro, Secretary-General of the Forces nouvelles, and Blaise Compaoré, President of Burkina Faso and Chairman of the Economic Community of West African States, in his capacity as facilitator (see annex).

I should be grateful if you would bring this agreement to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

07-26894 (E) 200307

Annex

[Original: French]

Republic of Côte d'Ivoire

Direct dialogue

OUAGADOUGOU POLITICAL AGREEMENT

March 2007

Preamble

At the invitation of His Excellency Mr. Blaise Compaoré, President of Burkina Faso, acting in his capacity as current Chairman of the Conference of Heads of State and Government of the Economic Community of West African States (ECOWAS), and with an express mandate from this organization, two delegations from the Republic of Côte d'Ivoire, one representing the President of the Republic and the other representing Forces nouvelles, met in Ouagadougou from 5 February to 3 March 2007.

The meeting followed the announcement on 19 December 2006 of the peace plan presented by President Laurent Gbagbo, who on 23 January 2007 invited the current Chairman of ECOWAS to facilitate direct talks between the former belligerents in the armed conflict in Côte d'Ivoire.

President Blaise Compaoré, after consulting with the Secretary-General of Forces nouvelles, Mr. Guillaume Soro, with the various political stakeholders in Côte d'Ivoire and with the Prime Minister, Mr. Charles Konan Banny, acceded to the request and recommended that the direct talks should be held within the framework of resolution 1721 (2006), adopted by the United Nations Security Council on 1 November 2006.

During their discussions, the delegation of the Presidency of the Republic of Côte d'Ivoire, headed by Mr. Désiré Tagro, Special Advisor to President Laurent Gbagbo and spokesman for the Presidency of the Republic of Côte d'Ivoire, and the delegation of Forces nouvelles, led by Mr. Louis-André Dacoury-Tabley, Deputy Secretary-General of Forces nouvelles and Minister of Solidarity and War Victims, both of which are deeply committed to a successful resolution of the crisis in Côte d'Ivoire, reviewed the situation in the country.

Participants stressed the urgent need to restore peace and stability, to combat the growing insecurity, unemployment and poverty, to re-establish the authority of the State throughout the national territory, and to guarantee freedom of movement of people and goods throughout the national territory.

Because of their special responsibility in the peace process, the two Parties to the armed conflict in Côte d'Ivoire have agreed on the urgent need for them to work together to restore peace, promote genuine national reconciliation and achieve political and institutional normalization in the country through permanent dialogue and mutual trust.

After identifying the problems encountered in the implementation of the Linas Marcoussis, Accra and Pretoria Agreements and the United Nations resolutions on Côte d'Ivoire and before taking any decisions, the Parties reaffirmed the following:

- Their commitment to respect the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire;
- Their respect for the Constitution;
- Their commitment to the Linas-Marcoussis, Accra and Pretoria Agreements;
- Their commitment to all United Nations resolutions on Côte d'Ivoire, particularly resolutions 1633 (2005) and 1721 (2006) of the Security Council;

- Their determination to create conditions conducive to free, open, transparent and democratic elections;
- Their willingness to combine their efforts and energies with a view to ensuring the normal functioning of Côte d'Ivoire and achieving political, administrative and military normalization in the country.

In order to facilitate the implementation of the above-mentioned agreements and resolutions, in particular Security Council resolution 1721 (2006), the Parties have agreed as follows:

I. General identification of the population

The Parties signatories to this Agreement recognize that the identification of the Ivorian and foreign populations living in Côte d'Ivoire is a major concern. The absence of a clear and standard identity document and of individual administrative documents attesting to the identity and nationality of persons is a source of conflict. They have therefore decided to put an end to this situation by adopting the following measures:

1.1. Redeployment of mobile courts (*audiences foraines*) for the issuance of substitute birth certificates (*jugements supplétifs*)

1.1.1. Mobile courts shall be redeployed throughout the national territory as soon as the new Government is formed pursuant to the present Agreement. In order to expedite the issuance of substitute birth certificates, the judges in charge of the new jurisdictions created specifically for the mobile courts shall be appointed by presidential decree and provided with the necessary resources for the discharge of their mandate.

1.1.2. These exceptional mobile court hearings, which shall take place over a period of three months, shall issue substitute birth certificates only to individuals born in Côte d'Ivoire who have never been registered in a registry office.

1.1.3. The redeployment of the mobile courts shall be accompanied by a public awareness, information and mobilization campaign involving political stakeholders, the military high command and civil society, during which affected individuals will be invited to go before the mobile courts corresponding to their place of birth so that they could be issued with a substitute birth certificate.

1.1.4 The Parties pledge to guarantee the security of the mobile court hearings throughout the national territory.

1.2. Reconstruction of lost or destroyed birth registers

In parallel with the mobile court hearings for the issuance of substitute birth certificates, registers that were lost or destroyed in certain registry offices shall be reconstructed in accordance with the provisions of the ordinance of 17 January 2007 and its implementation decree, which must be enacted as soon as possible.

1.3. Launching of an operation for the issuance of new identity documents (national identity cards and residence permits)

The Parties undertake to conduct a special operation for the issuance of new identity cards in accordance with the following modalities:

1.3.1. Standard identification

1.3.1.1. Ivorians who are required to carry a national identity card and who have been issued with a certificate of nationality and a birth certificate or substitute birth certificate shall be entitled to be issued with the new national identity card.

1.3.1.2. Non-Ivorians who have been issued with a substitute birth certificate and a document from their consulate stating their nationality shall be entitled to be issued with a new identity card consistent with their legal status in the country.

1.3.2. Identification on the basis of the new electoral roll

1.3.2.1. In order to expedite the process of identification and given the current situation of the administration in Côte d'Ivoire and the consequent need to end the crisis, the Parties agree to accredit identification based on the electoral roll.

1.3.2.2. At the conclusion of the mobile court hearings and based on the 2000 electoral roll, the Independent Electoral Commission (CEI) shall conduct an electoral census during which biometrical data shall be collected throughout the national territory. Ivorians at least 18 years of age who are holders of a birth certificate or a substitute birth certificate shall be entitled to register on the electoral roll.

1.3.2.3. All citizens registered on the electoral roll shall be issued with a receipt bearing their personal identification number. This receipt must be presented when uplifting voter registration cards and the new national identity cards.

1.3.2.4. Upon completion of the procedure for validation of the electoral roll by the Independent Electoral Commission, the Council of Ministers shall adopt a decree authorizing the issuance of the new national identity card to all persons whose names appear on the final electoral roll, which will serve as a common database for the issuance of the new national identity card and voter registration card.

1.3.3. Characteristics of the new identity documents

1.3.3.1. The new identity documents shall be forgery-proof and shall contain many security features and a personal identification number for each holder.

1.3.3.2. The new identity documents shall be manufactured and issued by the National Identification Office (ONI) under the supervision of the National Commission for the Supervision of Identification (CNSI).

1.3.3.3. With the agreement of both Parties, the Government shall engage the services of a technical agency which shall be appointed by a decree of the Council of Ministers to undertake the identification operation.

II. Electoral process

The Parties to the direct dialogue, determined to achieve without delay a lasting peace and political and institutional normalization in Côte d'Ivoire, reaffirm their commitment to prepare for open, democratic and transparent presidential elections upon completion of the identification process, in accordance with the Linas-Marcoussis, Accra and Pretoria Agreements. To this end, they have decided as follows:

2.1. Registration on the electoral roll

2.1.1. The Parties agree that registration on the electoral roll shall be undertaken by the National Institute of Statistics (INS) and the technical agency designated by the Government for the identification operation. These two agencies shall discharge their mandate under the supervision of the Independent Electoral Commission.

2.1.2. All Ivorian citizens of voting age may be registered on the electoral roll. In order to register, they must be in possession of the following documents: a birth certificate or substitute birth certificate.

2.1.3. A decree by the Council of Ministers shall establish the modalities for registration on the electoral roll, in accordance with the provisions of the electoral code.

2.2. Publication of the definitive electoral roll

2.2.1. The definitive electoral roll, validated by the Independent Electoral Commission, shall be published in accordance with the provisions of article 11, paragraph 2, of the electoral code, or in any other manner agreed upon by the Parties.

2.3. Preparation and issuance of voter registration cards

2.3.1. Voter registration cards shall be prepared under the supervision of the Independent Electoral Commission once the definitive electoral roll has been published.

2.3.2. Voter registration cards shall be issued by the Independent Electoral Commission through its various branches at least two weeks prior to the date of the elections, in accordance with article 5 of the electoral code.

2.3.3. Voters who fail to uplift their voter registration cards before the deadline laid down in the above paragraph may nevertheless vote with their new national identity cards if they are duly registered on the electoral roll.

2.4. Collaboration between agencies involved in the electoral process

2.4.1. In order to ensure transparency and efficiency, the National Institute of Statistics and the technical agency designated by the Government shall work together under the supervision of the Independent Electoral Commission to prepare the voter registration cards.

2.4.2. The modalities of such collaboration shall be set out in a decree by the Council of Ministers.

III. Defence and Security Forces of Côte d'Ivoire

The Parties to this Agreement, recognizing that the national army must be the symbol of the unity and cohesion of the nation and the guarantor of the stability of the institutions of the Republic, have undertaken to restructure and reorganize their two armed forces with a view to the creation of new defence and security forces that are committed to the values of integrity and republican morality.

A special mechanism for the restructuring and reorganization of the army shall be created by law to establish the general framework for the organization, composition and operation of the new defence and security forces. The two Parties have therefore decided to merge their two forces by creating an integrated operational structure.

3.1. Establishment of an Integrated Command Centre (CCI)

3.1.1. In keeping with the spirit of joint handling of issues related to defence and security, the two former belligerent Parties agree to create an Integrated Command Centre for the purpose of integrating the two fighting forces and implementing measures for the restructuring of the Defence and Security Forces (FDS) of Côte d'Ivoire.

3.1.2. The Integrated Command Centre shall adopt its organizational chart and shall be placed under the joint command of the Chief of Staff of the National Defence and Security Forces of Côte d'Ivoire (FANCI) and the Chief of Staff of Forces nouvelles (FAFN). It shall be comprised of equal numbers of officers designated by the two Chiefs of Staff.

3.1.3. The core missions of the Integrated Command Centre shall be to:

- Contribute to the elaboration of defence and security policy;
- Implement the National Disarmament, Demobilization and Reintegration (DDR) Programme under the supervision of the impartial forces;
- Operationalize the military and security tasks associated with the peace process;
- Provide security for the mobile courts, for identification operations and for the electoral process;
- Create joint military and paramilitary units; and
- Coordinate measures designed to ensure the protection and free movement of people and goods throughout the national territory.

3.2. National Disarmament, Demobilization and Reintegration Programme

3.2.1. The Parties to this Agreement undertake to disarm their respective forces as soon as possible, in accordance with the recommendations of the Linas-Marcoussis Agreement and the modalities laid down in the following military agreements:

- The Joint Plan for DDR Operations (PCO) signed on 9 January 2004 and updated at the seminar on disarmament held from 2 to 6 May 2005 in Yamoussoukro under the auspices of the South African mediation;

- The National DDR Programme and its accompanying timetable adopted on 9 July 2005 in Yamassoukro;
- The conclusions of the working meeting held in Yamoussoukro on Saturday 14 May 2005 between the Chiefs of Staff of FANCI and FAFN.

3.2.2. The Parties agree to accelerate the disbanding and disarmament of militias.

3.2.3. The Parties agree to accelerate the process of assembly of the combatants on the 17 previously identified sites and to abide by the updated DDR timetable.

3.3. Civic Service

3.3.1. The two Parties agree that the Civic Service, which was established for the purpose of providing guidance and job training to all young people in Côte d'Ivoire, shall also accept all young people who have been trained in the use of weapons of war with a view to providing them with guidance and training for future civilian or military jobs.

3.3.2. The modalities of the organization and functioning of the Civic Service shall be defined by decree of the Council of Ministers.

IV. Restoration of the authority of the State and redeployment of the administration throughout the national territory

4.1. Resolutely determined to bring about political and institutional normalization in Côte d'Ivoire, the Parties to this Agreement pledge to restore the authority of the State and to redeploy the administration and all public services throughout the national territory.

4.2. The redeployment of the administration and of public services shall be done by all ministries concerned, under the authority of the Prime Minister, as soon as the zone of confidence is dismantled and observation posts established. The redeployment of the administration shall involve all public services, including the basic social services in such sectors as education, health, water and sanitation.

4.3. Heads of the main administrative services shall be appointed after consultations between the two Parties.

4.4. The National Police and Gendarmerie Forces, including the 600 members integrated pursuant to the Pretoria Agreement, shall be responsible for providing security for the entire prefectural corps and technical services deployed.

V. Institutional framework for implementation

5.1. The two Parties to the direct dialogue, exercising effective administrative and military control on both sides of the zone of confidence, conscious of their heavy responsibilities for the functioning of the State and determined to bring about political and institutional normalization based on the joint exercise of political power and on national reconciliation, have decided to establish a new institutional framework for implementation.

5.2. The Government of Transition shall work in a spirit of permanent consultation, complementarity and openness to the other political forces in Côte d'Ivoire to bring about national reunification, disarmament and the organization of open, transparent and democratic elections, as provided for in the various agreements and resolutions for overcoming the crisis.

VI. Measures to promote national reconciliation, peace, security and the free movement of people and goods

In order to promote peace, national reconciliation and the free movement of people and goods, the Parties to the direct dialogue agree on the following measures:

6.1. Embargo on the importation of arms

6.1.1. The two Parties to the direct dialogue agree to request the United Nations Security Council, with the support of the Facilitator and of ECOWAS, to lift the arms embargo imposed on Côte d'Ivoire within three months after the holding of presidential elections.

6.1.2. The Parties also agree to request from the United Nations Security Council, with the support of the Facilitator and of ECOWAS, immediate special authorization to import the light arms necessary for the maintenance of law and order, under the supervision of the Integrated Command Centre referred to in paragraph 3.1 above.

6.2. Zone of confidence

6.2.1. In order to allow the free movement of people and goods, the two Parties to the direct dialogue agree to request the impartial forces of Licorne and UNOCI to dismantle the zone of confidence, in accordance with paragraph A.4 of the document on "Management of the zone of confidence", referred to as Code 14.

6.2.2. On a transitional basis, an imaginary line to be referred to as the green line, going from east to west along the median line of the zone of confidence, shall be established and punctuated by observation posts situated on the main infiltration routes. The observation posts shall be occupied by the impartial forces and their number shall be reduced by half every two months until all of them are removed.

6.2.3. Joint units comprised of equal numbers of FAFN and FDS members and with responsibility for conducting police and security missions shall be deployed in the zone of confidence. These units shall be abolished when the process of reform and restructuring of the army is complete.

6.3. Amnesty law

In order to promote forgiveness and national reconciliation and to restore social cohesion and solidarity among Ivorians, the two Parties to the direct dialogue agree to extend the scope of the amnesty law passed in 2003. To this end, they have decided to adopt, by ordinance, a new amnesty law covering crimes and offences related to national security and arising from the conflict that shook Côte d'Ivoire and which were committed between 17 September 2000 and the date of entry into force of the present Agreement, with the exception of economic crimes, war crimes and crimes against humanity.

6.4. Sanctions

The Parties to the present Agreement agree to request the African Union, through the intermediary of ECOWAS, to petition the United Nations Security Council for the immediate lifting of the personal sanctions in force against the actors in the Ivorian crisis.

6.5. Programme of assistance for the return of persons displaced by the war

With a view to promoting national reconciliation and political and institutional normalization, the Parties to the direct dialogue agree to establish as early as possible a programme to provide assistance for the return of persons displaced by the war. This programme is intended to facilitate the social reintegration of individuals and families who abandoned their homes or their property on account of the war. The two Parties undertake to provide the relevant technical ministry with the resources necessary for the implementation of this programme.

6.6. Code of conduct

In view of the urgent need to restore calm and integrity to public life, to create a new political environment in Côte d'Ivoire and to eschew any partisan and demagogic interpretation of the present Agreement, the Parties pledge to observe a code of conduct.

6.6.1. The Parties undertake to organize a vast information and public awareness campaign targeted to the population of Côte d'Ivoire to seek their full support for the peace and national reconciliation process.

6.6.2. The Parties pledge to refrain from any propaganda, particularly in the media, that is likely to undermine the spirit of national cohesion and unity. They appeal to the national and international press for their constructive support in promoting peace and a spirit of tolerance.

6.6.3. The Parties pledge to maintain a spirit of permanent dialogue based on trust in each other, to refrain from any belligerent and offensive attitude and to call upon their respective supporters to conduct themselves with respect and decorum.

6.6.4. The Parties agree to combine their efforts aimed at promoting Republican ethics and morality within their respective forces, with respect for human dignity and fundamental rights. The Parties pledge to encourage their respective forces to work together with mutual understanding.

6.6.5. The Parties pledge to refrain from any use of civil society and trade union organizations that is abusive and contrary to the spirit of the present Agreement.

VII. Follow-up and consultation mechanisms

In order to ensure follow-up to this Agreement and continuation of the direct dialogue, the Parties agree to establish a permanent consultation mechanism (CPC) and an evaluation and monitoring committee (CEA).

7.1. Permanent consultation mechanism (CPC)

The permanent consultation mechanism is an organ for monitoring and permanent dialogue aimed at strengthening national unity.

Its membership is as follows:

- Mr. Laurent GBAGBO, President of the Republic
- Mr. Guillaume K. SORO, Secretary-General of Forces nouvelles
- Mr. Alassane Dramane OUATTARA, leader of RDR
- Mr. Henri Konan BEDIE, leader of PDCI
- Mr. Blaise COMPAORE, current Chairman of ECOWAS, in his capacity as Facilitator.

Except for President Laurent GBAGBO and the current Chairman of ECOWAS, the other members of CPC are all heads of institutions.

CPC is competent to consider any issue related to this Agreement.

7.2. Evaluation and monitoring committee (CEA)

The evaluation and monitoring committee is responsible for the periodic evaluation of the implementation of the measures provided for in this Agreement. The committee may also make any practical and necessary suggestions for the effective implementation of this Agreement.

Its membership is as follows:

- Chairman: the Facilitator or his representative
- Members: three representatives for each of the two Parties signatories to this Agreement.

The two Parties shall jointly agree on the enlargement of the committee to include other members of the Ivorian political class.

The Facilitator may also call upon any other observer representing a country or an international or inter-African organization, should he deem it necessary.

CEA shall be chaired by the Facilitator or his representative. It shall meet at least once a month in ordinary session and, where necessary, in extraordinary session convened by the Chairman.

In fulfilment of its mandate, CEA shall report to CPC on the implementation of the Agreement and shall so advise the Special Representative of the Secretary-General of the United Nations.

VIII. Miscellaneous and final provisions

8.1. The Parties agree to refer to arbitration by the Facilitator any dispute that may arise from the interpretation or implementation of the present Agreement.

8.2. The Parties agree to request additional African troops to participate in the peacekeeping mission of the impartial forces in Côte d'Ivoire.

8.3. The timetable attached to the present Agreement is an integral part hereof. The Parties agree to carry out the operations agreed upon in accordance with this timetable.

8.4. The present Agreement shall enter into force upon its signing by the Parties. The Parties agree to request the Facilitator, in his capacity as current Chairman of ECOWAS, to refer the present Agreement to the United Nations Security Council through the African Union for the purpose of ratification.

Done at Ouagadougou, 4 March 2007

(*Signed*) Laurent **Gbagbo**
President of the Republic of Côte d'Ivoire

(*Signed*) Guillaume Kigbafori **Soro**
Secretary-General of Forces nouvelles of the
Republic of Côte d'Ivoire

(*Signed*) Blaise **Compaoré**
President of Burkina Faso
Current Chairman of ECOWAS
Facilitator

ANNEX

Timetable for implementation of the Ouagadougou Agreement

1. Signing of the Ouagadougou Political Agreement

Day 1

2. Establishment of the Integrated Command Centre

Beginning two weeks after Day 1

3. Establishment of the institutional framework for implementation

Four weeks after the signing of the Agreement

4. Formation of the Government

Five weeks after the signing of the Agreement

5. Dismantling of the zone of confidence and creation of joint units

Beginning one week after the formation of the Government

6. Disbanding of militias

Beginning two weeks after the formation of the Government and lasting two weeks

7. Assembly (assembly by units of ex-combatants in assembly sites and stockpiling of weapons under the supervision of the impartial forces)

- Redeployment of the administration
- Beginning of mobile court hearings (*audiences foraines*)

Beginning two weeks after the formation of the Government and lasting three months

8. Registration for the purpose of inclusion in the electoral roll and identification

Beginning one month after the redeployment of the mobile courts

9. Unification of the opposing forces and enlistment in the Civic Service

Beginning two weeks after the commencement of enlistment

10. Preparation and issuance of the new national identity cards and voter registration cards based on the electoral roll

Beginning when the definitive electoral roll is officially adopted

11. End of the DDR process and holding of elections

All measures provided for in the above timetable shall be completed within a period of 10 (ten) months.